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March 5, 1992

HAND DELIVER

Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

MM 92-120
RM 7968

RECEIVED

MAR 5 - 1992

ATTN: Allocations Branch, Policy and Rules Division, Federal Communications Commission
Mass Media Bureau Office of the Secretary

RE: Petition for Rulemaking Filed by Family Broadcasting,
Inc. to Modify 73.202(b) to Change Channel 282A,
Hartford, Vermont to 282C3, Hartford, Vermont

Dear Ms. Searcy:

Transmitted herewith on behalf of Family Broadcasting, Inc.,
permittee of WGLV(FM), Hartford, Vermont, is an original and four
copies of its "Petition for Rulemaking" seeking to amend Section
73.202(b) of the Commission's rules to substitute Channel 282C3
for Channel 282A, Hartford, Vermont.

Should any questions arise concerning this matter, kindly contact
the undersigned.

Respectfully submitted,

MAY & DUNNE, CHARTERED

By: Joseph E. Dunne III
Joseph E. Dunne III
Attorney for
Family Broadcasting, Inc.

JED:jrfB91
xc: Alexander D. McEwing

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BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)	MM Docket No. <u>92-120</u>
Amendment of Section 73.202(b))	RM <u>7968</u>
FM Broadcast Stations)	
(Hartford, Vermont))	

TO: The Commission

PETITION FOR RULEMAKING

Family Broadcasting, Inc. (Family), by its undersigned attorney and pursuant to section 1.401 of the Commission's rules and regulations, 47 C.F.R. § 1.401 (1991), respectfully requests the Commission to initiate a rulemaking proceeding seeking the change in class of the channel presently assigned to Hartford, Vermont, thereby amending § 73.202(b) of the Commission's rules (Table of Assignments for FM Broadcast Stations) in the following manner:

<u>City and State</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Hartford, Vermont	282A	282C ₃

In support of this Petition, the following is shown and stated.:

Introduction

1. The Petitioner, Family Broadcasting, Inc., is the permittee of WGLV(FM), Hartford, Vermont, and Family anticipates

commencing broadcast operations within the next 60 days. Family is also the licensee of WGLY(FM), Waterbury, Vermont, which Family has successfully operated for over six years. This record of achievement and public service, and Family's broadcast experience, will be put to use by the grant of the instant Petition to provide improved service to now underserved areas. Family's desire to provide service to underserved areas is precisely the sort of public interest benefits which the Commission sought to encourage in adopting Modification of FM Broadcast Licenses to Higher Co-Channel or Adjacent Channels in MM Docket NO. 85-313, Mimeo No. 36612, FCC 86-181, 60 R.R.2d 114 (released April 29, 1986).

I. The Requested Allocation Complies with All of the Commission's Legal and Technical Requirements

2. Attached hereto as Exhibit 1 is an engineering affidavit prepared by Gary P. Savoie supporting the instant Petition to Amend the FM Table of Assignments. As demonstrated therein, the requested assignment can be accomplished in full compliance with all applicable Commission rules. In particular, Mr. Savoie's Technical Exhibit establishes that:

(a) Channel 282C₃ can be assigned to Hartford in full compliance with the Commission's minimum distance separation requirements (§ 73.207(b), including Canadian allocations;

(b) Channel 282C₃ at the site proposed in this Petition will comply with all Commission technical requirements,

including section 73.315(a) providing city grade coverage to the community of license; and

(c) Assignment of Channel 282C₃ to Hartford will add substantially to the station's proposed population coverage.

II. Public Interest Considerations **Support Family's Petition**

3. Hartford is a community with a growing population, and adjacent to two communities, White River Junction, Vermont, and Lebanon, New Hampshire, both of which are rapidly expanding. The area proposed to be served by WGLV's upgraded signal includes one of the fastest growing and economically dynamic areas in New England.

III. Service to the Public

4. A higher power broadcast facility in Hartford will provide a uniquely valuable service to this economically expanding community. A higher power facility for the community would provide additional means for disseminating valuable public service information and announcements, and allow for the development of needed local public affairs and news services.

5. Finally, Family hereby states its intention, if the proposed amendment is adopted, to promptly initiate and complete construction of a new upgraded FM broadcast facility on channel 282C₃ in Hartford, Vermont. Family is, in fact, ready, willing and eager to expeditiously commence and complete construction. For example, Family has already obtained the right to build on

the site used as the reference point in its Technical Exhibit for the new allocation.

IV. Conclusions

6. The data supporting this Petition indicates:

(a) A need for additional local broadcast service to a growing area;

(b) Channel 282C₃ could be assigned to Hartford without adversely affecting any existing, pending, or known co-channel or adjacent channel assignments, including Canadian assignments;

(c) The assignment is in full compliance with all applicable Commission rules; and,

(d) Petitioner will promptly construct and initiate service if the proposed allocation is granted.

WHEREFORE, for the foregoing reasons, the Commission respectfully requests the Commission to initiate a rulemaking proceeding to amend Section 73.202(b) of its rules to change the class of FM channel assigned to Hartford, Vermont from channel 282A to 282C₃.

Respectfully submitted,

FAMILY BROADCASTING, INC.

By:


Joseph E. Dunne III
Its Attorney

MAY & DUNNE, CHARTERED

1000 Thomas Jefferson Street, N.W., Suite 250
Washington, D.C. 20007
(202) 298-6345

EXHIBIT 1

TECHNICAL EXHIBIT

Technical Exhibit
In Support of Petition for Rulemaking
Family Broadcasting, Inc.
Radio Station WGLV
Hartford, Vermont

This technical narrative was prepared on behalf of Family Broadcasting, Inc., permittee of station WGLV on Channel 282A with an effective radiated power of 2.7 kilowatts and an antenna height above average terrain of 149 meters. By means of this petition, WGLV seeks to upgrade the channel allocated to Hartford, Vermont from 282A to 282C3. This upgrade can be accomplished in accordance with FCC Rules without affecting any presently authorized stations.

WGLV requests amendment of 47 CFR 73.202 (b), Table of Allotments, to appear as follows:

<u>City, State</u>	<u>Channel</u>	
	<u>Present</u>	<u>Proposed</u>
Hartford, VT	282A	282C3

WGLV can operate as a Class C3 station on Channel 282 from an assumed site approximately 11 kilometers North-Northwest of Hartford and meet all separation requirements with existing and proposed stations. The geographical coordinates of the assumed site which would serve as the reference coordinates are:

43° 46' 08" North Latitude

72°21' 35" West Longitude

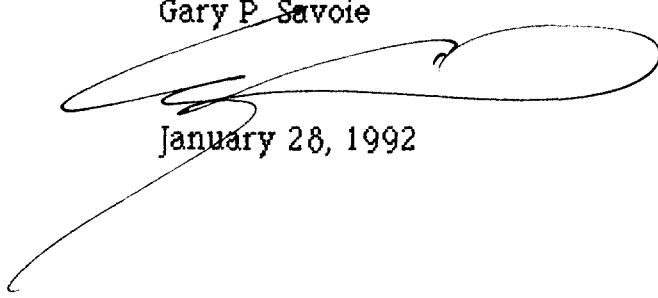
From the assumed reference coordinates, WGLV can provide 70 dBu coverage to all of Hartford, Vermont. In addition, the change in classification will allow an increase in population within the service contour (60 dBu) and a substantial addition in the 60 dBu coverage area, assuming a maximum Class C3 facility at the reference site.

Figure 1-A is a separation study for Channel 282C3 from the proposed reference coordinates. Figure 1-B indicates the area in which a class C3 station on Channel 282 could locate to serve Hartford, Vermont.

Conclusion

It has been determined that WGLV, Hartford, Vermont could operate on Channel 282C3 in accordance with the FCC separation requirements. Therefore, WGLV requests the allotment of Channel 282C3 to Hartford, Vermont.

Gary P. Savoie



January 28, 1992

Figure 1-A

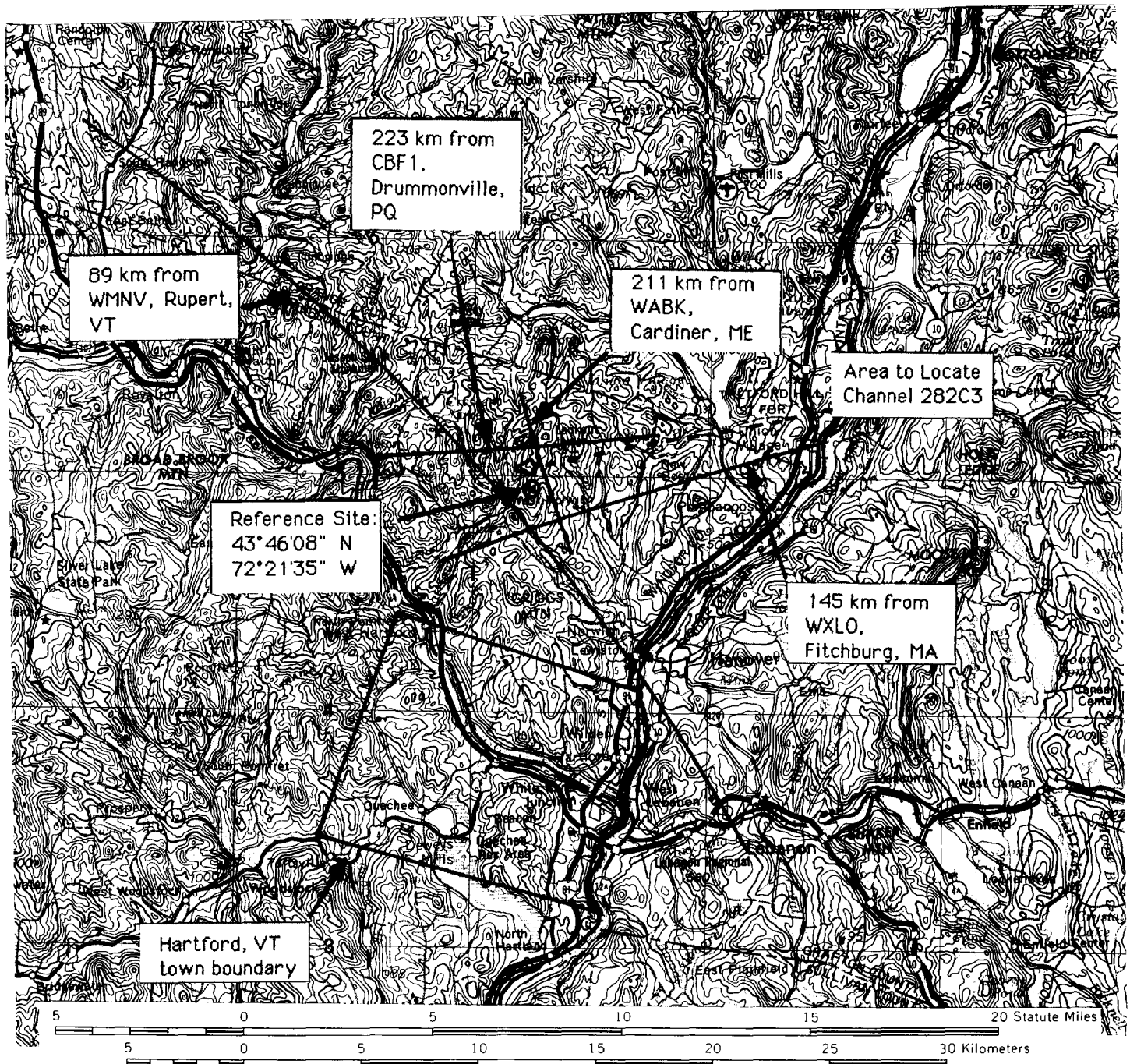
Technical Exhibit
In Support of Petition for Rulemaking
Family Broadcasting, Inc.
Radio Station WGLV
Hartford, Vermont

Separations Pertinent to Assignment
Of Channel 282C3 to Hartford, Vermont

Assumed site coordinates: 43° 46' 08" N
 72° 21' 35" W

			Separation (km)	
Channel	Class	Station	Actual	Required
281	A	WMNV, Rupert, VT	90.0	89
282	B	WABK, Cardiner, ME	211.5	211
282	B	CBF1, Drummondville, PQ	225.5	223
283	B	WXLO, Fitchburg, MA	146.7	145

Figure 1-B



**Separations Pertinent to Assignment
of Channel 282C3 to Hartford, Vermont**

**Family Broadcasting, Inc.
Radio Station WGLV
Hartford, Vermont**

Mirkwood Engineering, Claremont, NH